

AN ACT

ENTITLED, An Act to revise certain provisions regarding unemployment insurance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 61-5-23 be amended to read as follows:

61-5-23. If on the last day of any calendar quarter, the amount in the unemployment compensation fund, as established by § 61-4-1, including amounts receivable as federal reimbursements due the state for shareable benefit payments, is less than any amount appearing in Column A below, then all employers' rates shall be increased by the amount appearing in Column B opposite the lowest amount in Column A under which the fund has been reduced:

Column A	Column B
Balance in Fund	Rates
\$11,000,000	.1 %
10,500,000	.2 %
10,000,000	.3 %
9,500,000	.4 %
9,000,000	.5 %
8,500,000	.6 %
8,000,000	.7 %
7,500,000	.8 %
7,000,000	.9 %
6,500,000	1.0 %
6,000,000	1.25%
5,500,000	1.5 %

The increased contribution rates apply to taxable wages paid on and after the first day of the immediately following calendar quarter. The rates shall remain in effect until the balance in the unemployment fund on the last day of any quarter is equal to or greater than one hundred fifty

percent of the highest amount appearing in Column A. However under no circumstances may any employer be required to pay contributions at a rate including the adjustment percentage, of more than ten and one-half percent.

Section 2. That § 61-5-29.2 be amended to read as follows:

61-5-29.2. Benefits paid but not charged to the experience-rating account of any employer based on subdivisions 61-5-29(1) to (7), inclusive, shall be prorated among all the employer experience-rating accounts as follows:

For calendar year 1983 through calendar year 2005, fifty percent of such noncharges for the preceding calendar year are divided by the total taxable payroll for the preceding year. For calendar year 2006 and thereafter, one hundred percent of such noncharges for the preceding calendar year are divided by the total taxable payroll for the preceding calendar year. The ratio obtained is multiplied by each experience-rated employer's taxable payroll for the preceding year and the result of this computation is deducted from each employer's account balance. The deductions from each employer's account balance shall be credited to the pool account.

Section 3. That § 61-5-30 be repealed.

An Act to revise certain provisions regarding unemployment insurance.

=====

I certify that the attached Act  
originated in the

HOUSE as Bill No. 1228

\_\_\_\_\_  
Chief Clerk  
=====

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1228

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

=====

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
=====

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State